



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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Part V—Section 4

Notification by the Election Commission of India

NOTIFICATION BY THE ELECTION COMMISSION OF INDIA

ORDER OF THE ELECTION COMMISSION OF INDIA

DISQUALIFICATION OF SH. SURESH, CANDIDATE CONTESTED FROM 38-TIRUNELVELI PARLIAMENTARY CONSTITUENCY IN GENERAL ELECTION TO LOK SABHA OF TAMIL NADU, 2024 FOR FAILURE TO LODGE THE ACCOUNTS OF ELECTION EXPENSES UNDER SECTION 10-A OF THE REPRESENTATION OF THE PEOPLE ACT, 1951 BY THE ELECTION COMMISSION OF INDIA.

No. SRO G-15/2025

The following order of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated.20th February, 2025 [01 Phagun, 1946 (Saka)] is re-published:-

No.76/TN-PC/2024/CEMS-II

WHEREAS, the General Election to Lok Sabha of Tamil Nadu, 2024 for **38-Tirunelveli** Parliamentary Constituency was held in pursuance of the Election Commission of India Notification No. O.N.59(E), dated 20th March, 2024; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his/her election expenses which shall be a true copy of the account kept by him/her or his/her election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **38-Tirunelveli** Parliamentary Constituency of Tamil Nadu, 2024 was declared by the Returning Officer on 04th June, 2024 and hence the last date for lodging the account of Election Expenses was 4th July, 2024; and

WHEREAS, as per the report dated 03.07.2024 of District Election Officer, **Tirunelveli** under sub rule (1) of Rule 89 of the Conduct of Elections Rules, 1961 received through the CEO, Tamil Nadu *vide* his letter no. 16778/Ele-IV/2024-3, dated 23.07.2024 stating that **Sh. Suresh**, a contesting candidate from **38-Tirunelveli** Parliamentary Constituency in General Election to Lok Sabha of Tamil Nadu, 2024, has failed to lodge the account of his election expenses, as required under law; and

WHEREAS, on basis of the said report of the District Election Officer, **Tirunelveli**, a Show-Cause Notice No. 76/TN-PC/ 2024/CEMS-II, dated 07th October, 2024 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Sh. Suresh**, for not lodging of the account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Sh. Suresh**, was directed to submit representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge the account of his election expenses with the District Election Officer, **Tirunelveli** District within 20 days from the date of receipt of the notice; and

WHEREAS, the District Election Officer, **Tirunelveli** in his report no. E1/8096/2023; dated 20.11.2024 has reported that the said Show Cause Notice was served to **Sh. Suresh**, on **22.10.2024**; and

WHEREAS, the District Election Officer, **Tirunelveli** in his Supplementary Reports no. E1/8096/2023; dated 20.11.2024 on account of the candidate received through CEO, Tamil Nadu letter No. 20696/Ele-IV/2024-5, dated 17.12.2024 has reported that **Sh. Suresh**, has not submitted any representation or statement of account of election expenses. Further, after receipt of the said notice, **Sh. Suresh**, has neither furnished any reason nor explanation to the Election Commission of India for failure to lodge the account of his election expenses as prescribed under law; and

WHEREAS, Section 10A of the Representation of the People Act, 1951 provides that:

"If the Election Commission is satisfied that a person-

(a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure.

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.";

WHEREAS, on basis of the facts and available records, the Commission is satisfied that **Sh. Suresh**, has failed to lodge the account of his election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Sh. Suresh**, resident of **1, Sathya Moorthy Nagar, Cheran Mahadevi, Tirunelveli District - 627 414** and a contesting candidate from **38-Tirunelveli** Parliamentary Constituency of G.E. to PC of Tamil Nadu, 2024, to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.

To

Sh. Suresh,
1, Sathya Moorthy Nagar,
Cheran Mahadevi,
Tirunelveli District - 627 414

(By Order)

SUJEET KUMAR MISHRA,
Secretary,
Election Commission of India.

Secretariat,
Chennai-600 009,
28th February 2025.

ARCHANA PATNAIK,
Chief Electoral Officer and
Secretary to Government,
Public (Elections) Department.